

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

FILED

2007 FEB -1 PM 2:21

UNITED STATES OF AMERICA

v.

DAVID AARON BECKER

CRIMINAL COMPLAINT

U.S. DISTRICT COURT
EASTERN DIST. TENN.

BY _____ DEPT. CLERK
CASE NUMBER: 3:07-MJ-2014

I, Michael C. Ruibal, the undersigned complainant, being duly sworn, states the following is true and correct to the best of my knowledge and belief. On or about January 30, 2007, in Knox County, in the Eastern District of Tennessee defendant did, knowingly receive and possess visual depictions, that had been transported in interstate or foreign commerce, the production of which involved the use of a minor engaging in sexually explicit conduct and said visual depictions were of such conduct, in violation of Title 18, United States Code, Section 2252. I further state that I am a Special Agent, Federal Bureau of Investigation, and that this complaint is based on the following facts: See attached affidavit which is incorporated by reference herein.



Signature of Complainant

Sworn to before me and subscribed in my presence,

February 1, 2007
Date

Knoxville, Tennessee
City and State

H. Bruce Guyton
United States Magistrate Judge
Name & Title of Judicial Officer


Signature of Judicial Officer

3:07-MJ-2014

AFFIDAVIT

STATE OF TENNESSEE)
COUNTY OF KNOX)

Your affiant, Michael C. Ruibal, a Special Agent (SA) of the Federal Bureau of Investigation (FBI), assigned to the Knoxville Division, being duly sworn, deposes and states as follows:

1. Affiant has been employed as a Special Agent of the FBI since September 21, 2003. Since joining the FBI, affiant has investigated numerous crimes which were committed in violation of federal law and is currently responsible for investigating federal violations concerning child pornography and the sexual exploitation of children. Affiant has acquired experience in these matters through specialized training and everyday work related to these types of investigations.

2. As a federal agent, affiant is authorized to investigate violations of the laws of the United States and is a law enforcement officer with the authority to execute warrants issued under the authority of the United States.

3. All of the information contained in this affidavit is either known to me personally or has been told to me by other law enforcement officials.

4. As further detailed below, it is my belief that probable cause exists that David Aaron Becker, a white male, date of birth July 8, 1953, has violated Title 18, United States Code, Section 2252 (Receipt and Possession of Child Pornography).

5. This affidavit is therefore being offered in support of a Complaint and Arrest Warrant for David Aaron Becker, for violating Title 18, United States Code, Section 2252 (Receipt and Possession of Child Pornography).

6. On January 30, 2007, David Aaron Becker consented to speak with Special Agent Michael C. Ruibal, Federal Bureau of Investigation, and Federal Task Force Officer Tom Evans, Knoxville Police Department, Internet Crimes Against Children Task Force.

7. Becker confessed to having sexual contact, to include oral sex, masturbation, and at least one act of anal penetration, with three children within the Eastern District of Tennessee since his arrival in 2001. Furthermore, Becker admitted to assaulting at least one child and transmitting those images over the internet via web cam. Becker also confessed to serving a previous sentence in Colorado for the sexual assault of three 11-year old boys. Becker stated that he used the same methods on the children in Colorado and the children in Tennessee to get them to comply with his sexual advances. Becker has been umpire with the TSSAA (Tennessee Secondary School Athletic Association) officiating baseball, volleyball and basketball for over five years.

8. Becker disclosed that since his previous conviction for the sexual assault of the three 11-year old boys predated the sexual offender registry law, Becker was not a registered sex offender within the State of Tennessee.

9. Becker admitted to possession of child pornography on his computer. Becker granted consent for investigators, and signed a consent to search form, to search his computer and related storage media in the area around his computer. Becker stated that he would download and save images of child pornography from the internet to his computer and other related storage media. Becker further stated that he collected both stills and videos, but preferred videos depicting child pornography of young boys.

10. As investigators and Becker approached the room containing his computer, Becker disclosed, without questioning from investigators, that he had been accessing an internet newsgroup to view child pornography immediately preceding the arrival of SA Ruibal and TFO Evans at his residence on the evening of January 30, 2007. Becker turned on his computer

monitor and maximized the window depicting an image of two, naked male children which appeared to be between the ages of 10 and 13.

11. A preliminary forensic examination by TFO Evans has revealed numerous images and graphic video of child pornography, as defined in 18 U.S.C. Section 2256. Becker did state to TFO Evans and SA Ruibal that he used his computer to access web sites, newsgroups, and peer-2-peer file sharing software to download and receive child pornography. Becker disclosed to investigators the terms he used to search and obtain said child pornography. TFO Evans advised SA Ruibal that Becker's statements regarding his receipt and possession of child pornography from the internet were corroborated by the preliminary forensic analysis that Evans had performed. Evans also stated that at least one visual depiction of child pornography is from a known series of child pornography and it contains an identified minor.

FURTHER AFFIANT SAITH NOT.


MICHAEL C. RUIBAL
Special Agent
Federal Bureau of Investigation

Sworn to and subscribed before me this the 1st day of February, 2007.


H. BRUCE GUYTON
UNITED STATES MAGISTRATE JUDGE